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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:15-cr-284-KJD-PAL
)	
Plaintiff,)	
)	
v.)	
)	
GRAHAM WILSON,)	
)	
Defendant.)	
_____)	

STIPULATION FOR EXTENSION OF TIME

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and Heidi A. Ojeda, Assistant Federal Public Defender, counsel for Defendant GRAHAM WILSON, that the date for the Government to file a response to the Defendant's Motion to Suppress (Docket #19) be extended for twelve (12) days until January 27, 2016.

This stipulation is entered for the following reasons:

1. The Defendant's Motion was filed and served on December 29, 2015. The Government's response deadline is January 15, 2015. Trial is presently set for February 8, 2016.
2. Counsel for the Government has been dealing with an uptick in the press of business, necessitating more time for the Government to prepare a response to the Defendant's

1 Motion. Counsel for the Government recently completed the trial in the matter of *United States*
2 *v. Charles Bell*, 2:14-cr-138-JAD-VCF, which concluded on January 6, 2015. Counsel for the
3 Government has since been preparing for two upcoming trials scheduled to commence on
4 January 25 and February 8, 2016.

5 3. Counsel for the Government also needs time to meet with the involved police
6 officers. That meeting is scheduled for next week. Consequently, counsel for the Government
7 respectfully requests more time to respond to the Defendant's Motion.

8 4. The Defendant is incarcerated, but he does not object to the continuance of the
9 Government's response deadline.

10 5. The additional time requested herein is not sought for purposes of delay, but
11 merely to allow the Government to have adequate time to prepare an appropriate response to the
12 Defendant's Motion.

13 6. Additionally, denial of this request for continuance could result in a miscarriage
14 of justice.

15 7. This is the first stipulation filed herein to continue the Government's response
16 deadline.

17 DATED: January 15, 2016.

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19 /s/
PHILLIP N. SMITH, JR.
20 Assistant United States Attorney
Counsel for the United States
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22 /s/
HEIDI A. OJEDA, AFPD
23 Counsel for Defendant GRAHAM WILSON
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,) **2:15-cr-284-KJD-PAL**
)
Plaintiff,)
)
v.)
)
GRAHAM WILSON,)
)
Defendant.)
_____)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The Defendant's Motion was filed and served on December 29, 2015. The Government's response deadline is January 15, 2016. Trial is presently set for February 8, 2016.

2. Counsel for the Government has been dealing with an uptick in the press of business, necessitating more time for the Government to prepare a response to the Defendant's Motion. Counsel for the Government recently completed the trial in the matter of *United States v. Charles Bell*, 2:14-cr-138-JAD-VCF, which concluded on January 6, 2015. Counsel for the Government has since been preparing for two upcoming trials scheduled to commence on January 25 and February 8, 2016.

3. Counsel for the Government also needs time to meet with the involved police officers. That meeting is scheduled for next week. Consequently, counsel for the Government respectfully requests more time to respond to the Defendant's Motion.

4. The Defendant is incarcerated, but he does not object to the continuance of the Government's response deadline.

1 5. The additional time requested herein is not sought for purposes of delay, but
2 merely to allow the Government to have adequate time to prepare an appropriate response to the
3 Defendant's Motion.

4 6. Additionally, denial of this request for continuance could result in a miscarriage
5 of justice.

6 7. This is the first stipulation filed herein to continue the Government's response
7 deadline.

8 For all of the above-stated reasons, the ends of justice would best be served by a
9 continuance of the motion response deadline.

10 **CONCLUSIONS OF LAW**

11 The additional time requested herein is not sought for purposes of delay, but merely to
12 allow the parties sufficient time to allow the Government adequate time to prepare a response to
13 the Defendant's Motion to Suppress, taking into account due diligence. The failure to grant said
14 continuance would likely result in a miscarriage of justice.

15 **ORDER**

16 IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the
17 Government to respond to the Defendant's Motion to Suppress (Docket #19) is extended until
18 January 27, 2016.

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21 UNITED STATES MAGISTRATE JUDGE
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